

I write to urge you to reject the Notice of Proposed Rulemaking #02-230, which would limit the functionality of digital television sets. As currently constructed, this "broadcast flag" proposal would hamper innovation in digital televisions and other electronic equipment capable of receiving digital broadcasts.

The broadcast flag proposal before the commission was the product of the "Broadcast Protection Discussion Group," an select group of industry insiders who brokered the deal. It would be unfortunate if the FCC were to codify this pact at the expense of consumer flexibility and choice.

While piracy is a valid concern, it is not the only issue that should be considered. Entertainment industry protections must be weighed against consumers' freedom to purchase and employ technology to enhance and utilize content. If enacted, the broadcast flag proposal would ignore these concerns and turn technological development over to an all-powerful subset of the entertainment industry.

In recent years, the entertainment industry has become acutely aware of the challenges it faces in the digital era. But these challenges do not give it the right to restrict consumers' abilities to record their favorite programs, or purchase electronic devices that allow them to record and save memorable family moments. The market is best suited to address and weigh these competing concerns and the FCC should give it time to work - particularly in a nascent industry like digital television -- before handing over consumer autonomy to the whims of entertainment industry executives.

Additionally, by regulating this part of the industry, the market and consumer are crippled. The market loses its ability to function appropriately and efficiently, due to outside influences. Proponents of this bill fail to realize the consequences of its enactment. Essentially the market would have to discontinue research and sales in technology regulated by this proposal. That action would cause loss of revenues and ultimately loss of jobs due to revenue shortfalls.

Consumers are robbed by the ripple effect caused when the market is hit with such shortfalls. However the largest detriment is the one caused to our liberty. The government already takes too many actions to limit our freedoms. If the government continues to regulate trivial items, such as this, they will cause a loss of freedom over time and a dependent market. Bills such as this move America more towards socialism and further away from the freedoms this nation was founded on.